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Sustainable development and international economic cooperation: international migration and development, including the question of the convening of a United Nations conference on international migration and development to address migration issues

Letter dated 8 October 1999 from the Permanent Representative of Thailand to the United Nations addressed to the President of the General Assembly

I have the honour to transmit to you the text of the "Bangkok Declaration on Irregular Migration", which was adopted at the International Symposium on Migration held from 21 to 23 April 1999 in Bangkok (see annex). The Symposium was organized by the Government of Thailand and the International Organization for Migration (IOM) and was attended by high-ranking representatives from countries in south-east Asia and from the international organizations concerned, including the Director of the United Nations Population Fund.

I would be grateful if you would have the present letter and its annex distributed, if possible before 19 October 1999, as a document of the General Assembly, under agenda item 99 (e).

(*Signed*) Asda **Jayanama**

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Annex

Bangkok Declaration on Irregular Migration

We, the Ministers and representatives of the Governments of Australia, Bangladesh, Brunei Darussalam, Cambodia, China, Indonesia, Japan, the Republic of Korea, the Lao People's Democratic Republic, Malaysia, Myanmar, New Zealand, Papua New Guinea, the Philippines, Singapore, Sri Lanka, Thailand and Viet Nam, as well as the Hong Kong Special Administrative Region (hereinafter referred to as "the participating countries and Region"), meeting at the invitation of the Royal Thai Government in Bangkok, on 23 April 1999, on the occasion of the International Symposium on Migration held from 21 to 23 April 1999, under the chairmanship of H.E. Bhichai Rattakul, Deputy Prime Minister of Thailand, to address the question of international migration, with particular attention to regional cooperation on irregular/undocumented migration:

1. *Realizing* that international migration is a complex phenomenon, which is rooted in human history and is closely associated with social and economic aspirations of each country and region;

2. *Recognizing* that the process of globalization and liberalization, including the increasing interdependence of economies, has contributed to large flows of people in the Asia-Pacific region, thus providing both opportunity and challenge for Governments in the region;

3. *Noting* that both the supply (push) factor and demand (pull) factor from concerned countries have led to the outflow of migrants from the countries of the region;

4. *Being aware* that international migration, particularly irregular migration, has increasingly become a major economic, social, humanitarian, political and security concern for a number of countries in the Asia-Pacific region;

5. *Noting with concern* that the ongoing financial and economic crisis in many Asian countries has led to rising unemployment and other social problems and has had differing impacts on irregular migrants and on the countries of origin, transit and destination;

6. *Noting further* that the periodic natural disasters in some Asian countries badly affect their economies and lead to rising unemployment and irregular migration;

7. *Gravely concerned* by the increasing activities of transnational organized criminal groups and others that profit from smuggling of and trafficking in human beings, especially women and children, without regard to dangerous and inhumane conditions and in flagrant violation of domestic laws and international standards;

8. *Underlining* that comprehensive, coherent and effective policies on irregular/undocumented migration have to be formulated within the context of a broader regional framework based on a spirit of partnership and common understanding;

9. *Noting* that over 65 per cent of the world's poorest people live in the Asia-Pacific region, hence poverty and differences in level of development among countries in the region remain important causes of irregular migration;

10. *Recognizing* a need for international cooperation to promote sustained economic growth and sustainable development in the countries of origin as a long-term strategy to address irregular migration;

11. *Noting* that there are a number of international conventions and instruments dealing with humanitarian issues relating to migration;

12. *Respecting* the sovereign rights and legitimate interests of each country to safeguard its borders and to develop and implement its own migration/immigration laws, and also recognizing the obligations of the country of origin to accept its nationals back, and the obligation of the countries of transit and destination to provide protection and assistance where appropriate, in accordance with their national laws;

13. *Recognizing* the important role and contribution of regional consultative mechanisms, such as the Asia-Pacific Consultations on Refugees, Displaced Persons, and Migrants and the Manila Process, on issues relating to irregular migration;

14. *Noting with appreciation* the participation of countries from various regions, United Nations bodies and specialized agencies and intergovernmental as well as non-governmental organizations, in sharing their views and experiences in dealing with migration issues;

15. *Noting also with appreciation* the discussion papers prepared by the Institute for Population and Social Research, Mahidol University, and the International Organization for Migration (IOM), which provided useful points of discussion and recommendations for the management of irregular migration;

16. *Acknowledging with gratitude* the timely initiative of H.E. Dr. Surin Pitsuwan, Minister for Foreign

Affairs of Thailand, the dynamic chairmanship of H.E. Bhichai Rattakul, Deputy Prime Minister of Thailand, as well as the excellent arrangements provided by the Royal Thai Government, with the valuable support of the International Organization for Migration;

Declare as follows:

1. Migration, particularly irregular migration, should be addressed in a comprehensive and balanced manner, considering its causes, manifestations and effects, both positive and negative, in the countries of origin, transit and destination;

2. The orderly management of migration and addressing of irregular migration and trafficking will require the concerted efforts of countries concerned, whether bilaterally, regionally or otherwise, based on sound principles of equality, mutual understanding and respect;

3. Regular migration and irregular migration should not be considered in isolation from each other. In order to achieve the benefits of regular migration and reduce the costs of irregular migration, the capacity of countries to manage movement of people should be enhanced through information sharing and technical and financial assistance. In this context, the United Nations Institute for Training and Research, the United Nations Population Fund and the International Organization for Migration, joint sponsors of the International Migration Policy and Law Course, are invited to hold, in the near future, a course for middle to senior government officials from the region;

4. A comprehensive analysis of the social, economic, political and security causes and consequences of irregular migration in the countries of origin, transit and destination should be further developed in order better to understand and manage migration;

5. As the causes of irregular migration are closely related to the issue of development, efforts should be made by the countries concerned to address all relevant factors, with a view to achieving sustained economic growth and sustainable development;

6. Countries of origin, as well as countries of transit and destination, are encouraged to reinforce their efforts to prevent and combat irregular migration by improving their domestic laws and measures and by promoting educational and information activities for those purposes;

7. Donor countries, international organizations and non-governmental organizations are encouraged to continue assistance to developing countries, in particular the least-developed countries, in the region aimed at poverty reduction and social development as one means of reducing irregular migration;

8. The participating countries and Region should be encouraged to pass legislation to criminalize smuggling of and trafficking in human beings, especially women and children, in all its forms and purposes, including as sources of cheap labour, and to cooperate as necessary in the prosecution and penalization of all offenders, especially international organized criminal groups;

9. The participating countries and Region should exchange information on migration legislation and procedures for analysis and review, with a view to increasing coordination to effectively combat migrant traffickers;

10. The countries of origin, transit and destination are encouraged to strengthen their channels of dialogue at appropriate levels, with a view to exchanging information and promoting cooperation for resolving the problem of illegal migration and trafficking in human beings;

11. Greater efforts should be made to raise awareness at all levels, including through public information campaigns and advocacy, of the adverse effects of migrant trafficking and related abuse, and of available assistance to victims;

12. Concerned countries, in accordance with their national laws and procedures, should enhance cooperation in ascertaining the identity of undocumented/illegal migrants who seemingly are their citizens, with a view to accelerating their readmission;

13. Timely return of those without right to enter and remain is an important strategy to reduce the attractiveness of trafficking. This can be achieved only through goodwill and full cooperation of countries concerned. Return should be performed in a humane and safe way;

14. Irregular migrants should be granted humanitarian treatment, including appropriate health and other services, while the cases of irregular migration are being handled, according to law. Any unfair treatment towards them should be avoided;

15. The participating countries and Region should each designate and strengthen a national focal point to serve as a mechanism for bilateral, regional and/or multilateral consultations and cooperation on questions of international migration;

16. A feasibility study should be conducted on the need to establish a regional migration arrangement, linked to existing international bodies, to provide technical assistance, capacity-building and policy support, as well as to serve as an information bank on migration issues for the

countries in the Asia-Pacific region. The countries in the region are meanwhile encouraged to utilize and strengthen the already existing bilateral and multilateral arrangements;

17. The participating countries and Region will follow-up on the above-mentioned issues of irregular migration at the political and senior official levels in ways which may be deemed appropriate;

18. This document shall be given the widest publicity and dissemination possible to encourage Governments, non-governmental organizations, the private sector and civil society to join in a collective regional effort to alleviate the adverse effects of irregular migration and to prevent and combat trafficking of human beings, especially women and children.